

CONGRESS NEEDS TO SCRUTINIZE THE NEW ADMINISTRATION'S EXECUTIVE ORDERS

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to highlight the growing number of executive orders issued by President Trump and the silence from our House majority.

President Trump has signed 12 executive orders in the first 5 weeks in office. Many, like the border wall, the Muslim ban, and the ACA sabotage order, are highly misguided and exceed the intent of the law.

Congress has a constitutional duty to oversee and investigate the actions of the Executive. To date the House majority has said little and taken no action to oversee the Trump administration's abuse of power through executive orders.

When President Obama sat in the White House, the House majority called his administration every name under the sun. Agencies were closely scrutinized. Federal officials were regularly subject to hostile questioning.

Where is the oversight, Mr. Speaker? Where is the criticism? What happened to limiting executive power?

I hope my colleagues in the majority will uphold Congress' constitutional duties and vigorously scrutinize President Trump's actions and mounting abuse of power.

PROVIDING FOR CONSIDERATION OF H.J. RES. 43, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE BY SECRETARY OF HEALTH AND HUMAN SERVICES; PROVIDING FOR CONSIDERATION OF H.J. RES. 69, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF FINAL RULE OF DEPARTMENT OF THE INTERIOR; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM FEBRUARY 17, 2017, THROUGH FEBRUARY 24, 2017

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 123 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 123

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 43) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except:

(1) one hour of debate equally divided and controlled by the Majority Leader and the Minority Leader or their respective designees; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 69) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Interior relating to "Non-Subsistence Take of Wildlife, and Public Participation and Closure Procedures, on National Wildlife Refuges in Alaska". All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

SEC. 3. On any legislative day during the period from February 17, 2017, through February 24, 2017—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. BURGESS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Rules Committee, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 123 provides for a rule to consider two Congressional Review Act resolutions which will undo burdensome and harmful regulations put into place by the Obama administration during the final hours of his Presidency. The rule brings before the House these resolutions so that Congress may remove, through the proper legislative process, rules promulgated by bureaucrats who remain unaccountable to the American people. This process allows those who are accountable—the elected Representatives in the Congress—to fight for their constituents' rights and liberties.

House Resolution 123 provides for a closed rule for each of the Congress-

sional Review Act resolutions, both H.J. Res. 43 and H.J. Res. 69, the standard procedure for such resolutions, since the sole purpose of each is to remove a harmful regulation from the Federal Register.

The rule allows for 1 hour of debate, equally divided between the majority and the minority leader or their designees, for H.J. Res. 43, and 1 hour of debate, equally divided between the Chair and the ranking member of the Committee on Natural Resources, for H.J. Res. 69. On each resolution contained in the rule, the minority is afforded the customary motion to recommit.

H.J. Res. 43 is a joint resolution which would repeal the Obama administration's midnight rule that takes away States' ability to direct funding within their own borders to certain healthcare providers that conform to the States' values.

In her final days in office, Secretary Mathews Burwell pushed forward a rule that would require States to fund, with public dollars, facilities that perform abortions, potentially against the will of the people of that given State. This flies in the face of the 10th Amendment which grants to States the authority to make such decisions within their borders and to prioritize which healthcare providers should receive funding based on the greatest need in their own communities.

Those of us who care about the carefully crafted Federal system which our Founding Fathers set up, which allows different States to operate differently based upon their own values and priorities, recognize the Obama rule for what it is: a power grab by the Federal Government. This is why the House will take up this resolution today—to continue to fight for states' rights—and will repeal this burdensome regulation that ties the hands of every State legislature and ties the hands of every Governor in the Nation.

H.J. Res. 69 is a Congressional Review Act resolution to repeal an overreaching regulation by the United States Fish and Wildlife Service which usurps Alaska's ability to manage its own lands within its own borders. Federal law has long recognized that Alaska—that Alaska—and her elected officials are in the best position to make the decisions on what actions to permit on the public lands in that State, whether those lands are Federal, State, or private.

Despite this long precedent, codified by Congress in the Alaska National Interest Land Conservation Act, the Obama administration moved forward in its waning days with a rule that imposes Federal restrictions on lands that have been, up until the end of the Obama administration, successfully regulated by the State of Alaska. Like H.J. Res. 43, this resolution recognizes the important 10th Amendment protections put in place by the Founding Fathers in our Constitution which protects states' rights to govern within their own borders.